

**SUMMARY REPORT DIGEST-**  
**COMPLAINT REGISTER INVESTIGATION NO.:**  
**CHICAGO POLICE DEPARTMENT**

#276751

DATE OF REPORT (DAY-MO-YEAR)

16 April 2002

To be used in all cases that are to be classified as either EXONERATED, UNFOUNDED, NOT SUSTAINED, or  
 in SUSTAINED cases where the Disciplinary Recommendation does not exceed FIVE (5) DAYS SUSPENSION.

SUBMIT ORIGINAL AND 3 COPIES IF ASSIGNED TO SAME UNIT AS ACCUSED.  
 SUBMIT ORIGINAL AND 4 COPIES IF NOT ASSIGNED TO SAME UNIT AS ACCUSED.

TO: **SUPERINTENDENT OF POLICE**  
 ATTENTION  **ADMINISTRATOR IN CHARGE, OFFICE OF PROFESSIONAL STANDARDS**  
 **ASSISTANT DEPUTY SUPERINTENDENT, INTERNAL AFFAIRS DIVISION**

FROM - INVESTIGATOR'S NAME BAIO, Antonio M.		RANK Sgt.	STAR NO. 1495	SOCIAL SEC. NO. <b>2 - Unique identifiers</b>	EMPLOYEE NO. <b>2 - Unique id..</b>	UNIT ASSIGN 015		
ADDRESS OF INCIDENT 71... N. Pine		DATE OF INCIDENT - TIME 19 Nov. 2001 / 1700		BEAT OF INCIDENT 1524		LOCATION CODE* 17		
ACCUSED	NAME 1. SEABERRY, Robert		RANK P.O.	STAR NO. 3110	SOCIAL SEC. NO. <b>2 - Unique identifiers</b>	EMPLOYEE NO. <b>2 - Unique id..</b>	UNIT ASSIGN 015	
	2. HUERTAS, Carlos		RANK P.O.	STAR NO. 19394	SOCIAL SEC. NO. <b>1 - Personal info</b>	EMPLOYEE NO. <b>2 - Unique id..</b>	UNIT ASSIGN 015	
SEX/RACE 1. M/B	D.O.B. 1... Jan. 1953	DATE OF APPOINTMENT 31 May 1994	DUTY STATUS (TIME OF INCIDENT) <input checked="" type="checkbox"/> ON DUTY <input type="checkbox"/> OFF DUTY		<input checked="" type="checkbox"/> SWORN <input type="checkbox"/> CIVILIAN	FHTS. COND. CODE*	01	
2. M/W	1... Sept. 1974	27 July 1998	<input checked="" type="checkbox"/> ON DUTY <input type="checkbox"/> OFF DUTY		<input checked="" type="checkbox"/> SWORN <input type="checkbox"/> CIVILIAN	FHTS. COND. CODE*	01	
IF APPLICABLE - DATE ARRESTED / INDICTED 1. 2.		CHARGES		COURT BRANCH	DISPOSITION & DATE			
COMPLAINANTS	NAME 1 - Person... on 1 - Perso...		ADDRESS** Cook County Jail Div. 2 - 1 - Perso...	CITY STATE C-B	TELEPHONE DNA	SEX/RACE M/B	D.O.B./AGE 1... Sep '59	FHTS. COND. CODE*
VICTIMS	NAME		ADDRESS**	CITY STATE	TELEPHONE	SEX/RACE	D.O.B./AGE	FHTS. COND. CODE*
WITNESSES	NAME 1 - Personal info		ADDRESS** 1 - Personal info	CITY STATE Forest Park, Il.	TELEPHONE 1 - Personal info	SEX/RACE F/W	D.O.B./AGE 1... Nov. '80	FHTS. COND. CODE*

SEE ATTACHED SHEET FOR ADDITIONAL ACCUSED, COMPLAINANTS, VICTIMS, WITNESSES.

ALLEGATIONS	Allegation #1 - Complainant, 1 - Perso... & 1 - Perso... alleged that on 19 Nov. '02 at 1700 hours at 71... N. Pine, the accused officers falsely arrested him by planting drugs on his person.	
	Allegation #2 - Complainant, 1 - Perso... & 1 - Perso... alleged that on 19 Nov. '02 at 1700 hours at 71... N. Pine, the accused officers stripped searched him.	

I.A.D. LOCATION CODES*	
01	Food Sales/Restaurant
02	Tavern/Liquor Store
03	Other Business Establishment
04	Police Building
05	Lockup Facility
06	Police Maintenance Facility
07	CPD Automobile Pound Facility
08	Other Police Property
09	Police Communications System
10	Court Room

11	Public Transportation Veh./Facility
12	Park District Property
13	Airport
14	Public Property Other
15	Other Private Premise
16	Expressway/ Interstate System
17	Public Way - Other
18	Waterway, Incl. Park District
19	Private Residence

I.A.D. PHYSICAL CONDITION CODES*	
01	No Visible Injury - Apparently Normal
02	No Visible Injury - Under Influence
03	Injured, Not Hospitalized
04	Injured, Not Hospitalized - Under Influence
05	Injured, Hospitalized
06	Injured, Hospitalized - Under influence
07	Injured, Refused Medical Aid
08	Injured, Refused Medical Aid - Under Influence
09	Deceased
10	Deceased - Under Influence

\* IF CPD MEMBER, LIST RANK, STAR, SOCIAL SECURITY, EMPLOYEE NOS. IN ADDRESS BOX, PAX/BELL IN TELEPHONE BOX.

**SUMMARY**

Briefly summarize the Investigation describing your efforts to prove or disprove the allegation(s). Indicate whether witnesses or evidence support or do not support the allegation(s). In sustained cases ONLY, copies of the accused member's Summary of Previous Disciplinary Actions and Record of Previous Disciplinary Actions and Record of Previous Complimentary History will be included as attachments.

I/Sgt. interviewed [1 - Pers...], the complainant, who alleged that when he was arrested on 19 Nov. '02, the arresting officers placed narcotics (cocaine) on him and a female white co-defendant (now known as [1 - Personal info]) and had stripped searched him on the street. While in custody, Mr. [1 - Pers...] was interviewed at the Cook County Jail, and stated that he was on Parole for Possession with Intent to Deliver (Cocaine) at the time of his arrest and that he had failed a urine drug test which was administered by his Parole officer 2 days prior to being arrested.

I/Sgt. interviewed the accused police officers and the police officers who were identified as witnesses. In essence, all of the officers denied that narcotics were placed on Mr. [1 - Pers...] nor was Mr. [1 - Pers...] stripped search while on the 7<sup>th</sup> block of north Pine.

I/Sgt. interviewed [1 - Personal info], the co-defendant, who stated that just prior to being arrested on the date and time in question, she had purchased cocaine from Mr. [1 - Pers...] and was in possession of said cocaine when she was arrested. [1 - Personal info] further stated that she had purchased cocaine from Mr. [1 - Pers...] on at least five other occasions. [1 - Personal info] also related that she at no time saw the arresting officers strip search Mr. [1 - Pers...] on the street at 7<sup>th</sup> N. Pine.

ATTACHMENTS	INVESTIGATIVE REPORTS-SUPPORTING ALLEGATION LIST ATTACHMENT NUMBERS:	INVESTIGATIVE REPORTS-SUPPORTING ACCUSED MEMBER(S) LIST ATTACHMENT NUMBERS:	PHYSICAL EVIDENCE LIST ATTACHMENT NUMBERS:	TOTAL NUMBER OF ATTACHMENT SUBMITTED WITH THIS FILE:
	0	3-5; 19; 23-25; 28 & 29	0	29

Summarize the findings and recommendations. Rule violations will be cited by number only. One overall recommendation for Disciplinary Action will be made by the investigator. The recommendation will be for ALL sustained findings; recommendations will NOT be made for each sustained allegation. Example: 1. Violation noted, no disciplinary action warranted. 2. That the accused member be reprimanded. 3. That the accused member be suspended for .... days (not to exceed 5 days).

ACCUSED: P.O. Robert Seaberry, #3110

ALLEGATION #1: The complainant alleged that the accused officer falsely arrested him by planting drugs on him.

Finding: UNFOUNDED. Investigation found that the allegation did not occur.

REVIEWED

DATE: 6/29

Recommendation: No Disciplinary action warranted - Case to be filed.

ALLEGATION #2. The complainant alleged that the accused officer stripped searched him.

Finding: UNFOUNDED. Investigation found that the allegation did not occur.

Recommendation: No Disciplinary action warranted - Case to be filed.

Continued:

DATE INITIATED (DATE COMPLAINT WAS RECEIVED FOR INVESTIGATION)	05 Jan. '02	DATE COMPLETED (DATE OF THIS REPORT)	16 April '02	ELAPSED TIME (TOTAL TIME EXPRESSED IN DAYS)	101
Investigator will initiate the Command Channel Review form by completing the Investigator's Section.			INVESTIGATOR'S SIGNATURE	[1 - Personal info]	1495

## SUMMARY REPORT DIGEST CONTINUED

ACCUSED: P.O. Carlos Huertas #19394.

ALLEGATION #1. The complainant alleged that the accused officer falsely arrested him by planting drugs on him.

Finding: UNFOUNDED. Investigation found that the allegation did not occur.

Recommendation: No Disciplinary action warranted - Case to be filed.

ALLEGATION #2. The complainant alleged that the accused officer stripped searched him.

Finding: UNFOUNDED. Investigation found that the allegation did not occur.

Recommendation: No Disciplinary action warranted - Case to be filed.

## ATTACHMENT SUMMARY

Att. #1. Complainant Against Department Member.

Att. #2. Initiation Report dated 03 Dec. '01 for C.R. #276751.

Att. #3. Vice Case Report (Both sides) - R.D. #G - 696978.

Att. #4. Arrest Report for [REDACTED] 1 - Pers... :onal info

Att. #5. Arrest Report for [REDACTED] 1 - Personal info .

Att. #6. Letter written by [REDACTED] 1 - Pers... [REDACTED] 1 - Pers... dated 22 Nov. '02 (3 pages and 1 addressed envelope).

Att. #7. Letter written by [REDACTED] 1 - Pers... :onal info dated 01 Dec. '02 (4 pages and 1 addressed envelope).

Att. #8. ICAM photo and name search results for [REDACTED] 1 - Personal info (3 pages).

Att. #9. Cook County Department of Corrections - Interview Request for [REDACTED] 1 - Pers... [REDACTED] 1 - Pers... .

Att. #10. Interview of [REDACTED] 1 - Pers... [REDACTED] 1 - Pers... - To/From/Subject Report.

Att. #11. Request for Time Extension dated 01 February 2002 - C.R. #276751.

Att. #12. Interview of A.S.A. Jennifer Hannis - To/From/Subject Report.

Att. #13. Additional Witnesses Identified - To/From/Subject Report.

Att. #14. Notification Re: C.R. INVESTIGATION - Witness Identified: P.O. D. Park #19104.

Att. #15. Notification Re: C.R. INVESTIGATION - Witness Identified: P.O. S. Naszke #11423.

Att. #16. Notification of Charges/Allegations for P.O. R. Seaberry #3110.

Att. #17. Administrative Proceedings Rights for P.O. R. Seaberry #3110.

Att. #18. Request to Secure Legal Counsel for P.O. R. Seaberry #3110.

Att. #19. To/From/Subject report for P.O. R. Seaberry #3110 re: C.R. #276751.

Att. #20. Notification of Charges/Allegations for P.O. C. Huertas #19394

Att. #21. Administrative Proceedings Rights for P.O. C. Huertas #19394

Att. #22. Request to Secure Legal Counsel for P.O. C. Huertas #19394

ATTACHMENT SUMMARY con't.

Att. #23. To/From/Subject report for P.O. C. Huertas #19394 re: C.R. #276751.

Att. #24. Witness Statement from P.O. D. Park #19104 - To/From/Subject report.

Att. #25. Witness Statement from P.O. S. Naszke #11423 - To/From/Subject report.

Att. #26. Request for Time Extension dated 23 February 2002 - C.R. #276751.

Att. #27. Request for Time Extension dated 29 March 2002 - C.R. #276751.

Att. #28. Interview of [REDACTED] 1 - Personal info - To/From/Subject report.

Att. #29. Letter written by [REDACTED] 1 - Personal info dated 13 April 2002.